

Attorney Docket No. 0575/56613

Inventor Ann Marie Schmidt et al.

Total Pages 2

Express Mail Label No. EL628788227US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

ASSISTANT COMMISSIONER FOR PATENTS

Box CPA

Washington, D. C. 20231

January 21, 2003

CONTINUED PROSECUTION APPLICATION (CPA) REQUEST TRANSMITTAL

Sir:

This is a request for filing a X CONTINUATION DIVISIONAL application under 37 CFR 1.53(d) continued prosecution application (CPA) of pending prior application Serial No. 09/166,649, filed on October 5, 1998 entitled METHODS FOR DETERMINING WHETHER A COMPOUND IS CAPABLE OF INHIBITING THE INTERACTION OF A PEPTIDE WITH RAGE

1. Enter the unentered amendment previously filed on under 37 CFR 1.116 in the prior nonprovisional application.
2. A preliminary amendment is enclosed.
3. This application is filed by fewer than all the inventors named in the prior application, 37 CFR 1.53 (d)(4).
 - a. DELETE the following inventor(s) named in the prior nonprovisional application:
 - b. The inventor(s) to be deleted are set forth on a separate sheet attached hereto.
4. A new power of attorney or authorization of agent (PTO/SB/81) is enclosed.
5. Information Disclosure Statement (IDS) is enclosed:
 - a. PTO-1449
 - b. Copies of IDS Citations
6. X Small entity status:
 - a. A small entity statement is enclosed.
 - b. X A small entity statement was filed in the prior nonprovisional application and such status is still proper and desired.
 - c. Is no longer claimed.

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The filing fee is calculated as follows:

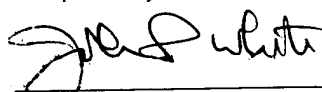
CLAIMS AS FILED, LESS ANY CLAIMS CANCELED BY AMENDMENT

	Number Filed		Number Extra*		Rate			Fee	
					Small Entity	Other Entity		Small Entity	Other Entity
Total Claims	22 -20	=	2	x	\$ 9	\$ 18	=	\$ 18	\$
Indep. Claims	1 - 3	=	0	x	\$ 40	\$ 80	=	\$ 0	\$
Multiple Dependent Claims Presented: Yes___ No <u>X</u>					\$135	\$270	=	\$ 0	\$
If the difference in column 1 is less than zero, enter "0" in column 2					Basic Fee			\$ 375	\$
					Total Fee			\$ 393	\$

7. X A check in the amount of \$ 1378.00 to cover the filing fee and request for an additional five-month extension of time.
8. X The Commissioner is hereby authorized to charge any additional fees which may be required in connection with the following or credit any overpayment to Deposit Account No. 03-3125.
- X Filing fees under 37 C.F.R. § 1.16.
- X Patent application processing fees under 37 C.F.R. §1.17.
- ___ The issue fee set in 37 C.F.R. §1.18 at or before mailing of the Notice of Allowance, pursuant to 37 C.F.R. §1.311(b).
9. X Three copies of this sheet are enclosed.
10. X Other (identify) Communication Further to August 7, 2002 Advisory Action Filed with a Corresponding Continued Prosecution Application, and Express Mail Certificate of Mailing bearing label No. EL628788227US Dated January 21, 2003

January 21, 2003
Date

Respectfully submitted,



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Dkt. 56613/JPW/ALB

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Applicants: Ann Marie Schmidt and David Stern

Serial No.: 09/166,649

Examiner: E. O'Hara

Filed : October 5, 1998

Group Art Unit: 1646

For : METHODS FOR DETERMINING WHETHER A COMPOUND IS
CAPABLE OF INHIBITING THE INTERACTION OF A PEPTIDE
WITH RAGE

1185 Avenue of the Americas
New York, New York 10036
January 21, 2003

Assistant Commissioner for Patents
Washington, D.C. 20231

SIR:

**COMMUNICATION FURTHER TO AN AUGUST 7, 2002 ADVISORY
ACTION WITH A CORRESPONDING REQUEST FOR FILING A CONTINUED
PROSECUTION APPLICATION UNDER 37 C.F.R. §1.53(d) AND PETITION FOR
AN ADDITIONAL FIVE-MONTH EXTENSION OF TIME**

This Communication is submitted with the accompanying Continued Prosecution Application and Petition for an Additional Five-Month Extension of Time further to an August 7, 2002 Advisory Action and Notice to Comply with Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures in connection with the above-identified application. A response to the Advisory Action and Notice to comply with Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures is due with the applicants enclosed response further to a June 19, 2002 Notice of Appeal from

Applicant : Ann Marie Schmidt, et al.
Serial No.: 09/166,649
Filed : October 5, 1998
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the Examiner's Decision to the Board of Patent Appeals and Interferences. Accordingly, this Communication is being timely filed.

A final office action was issued on December 19, 2001. Applicants concurrently filed an Amendment in Response to December 19, 2001 Final Office Action and Petition for a Three-Month Extension of Time and a Notice of Appeal From the Examiner's Decision to the Board of Patent Appeals and Interferences. In an August 7, 2002 Advisory Action, the Examiner assigned to the subject application stated that the amendment filed June 24, 2002 failed to place this application in condition for allowance. Therefore, an appeal brief further to the June 19, 2002 Notice of Appeal was originally due August 19, 2002. Applicants hereby petition for a five-month extension of time. Applicants have previously established small entity status. The required fee for an additional five-month extension of time for a small entity is \$985.00 and a check in this amount is enclosed. Therefore, an appeal brief is now due January 19, 2003. However, since January 19, 2003 falls on a Sunday, a response filed on the next succeeding day which is not a Saturday, Sunday or Federal Holiday, i.e. Tuesday, January 21, 2003, is considered timely under 37 C.F.R. §1.7. In lieu of filing an appeal brief, applicants are filing a CPA and request that the Examiner consider the corresponding request for filing a continuation application under 37 C.F.R. §1.53(d) continued prosecution application (CPA) for the above identified application. The required fee for filing a CPA for a small entity is \$375.00 and